

UNITED STATES BANKRUPTCY COURT
DISTRICT OF UTAH

In re:

Ted Dan Gardiner
Debtor(s).

Case No. 07-24697 WTT
Chapter 13

ORDER REQUIRING DEBTOR(S) TO FILE PAYMENT ADVICE
CERTIFICATION AND SHOW CAUSE WHY THE CASE SHOULD NOT BE
DISMISSED

Section 521(a)(1)(B)(iv) of the Bankruptcy Code requires that debtor(s) file "copies of all payment advices or other evidence of payment received within 60 days before the date of the filing of the petition, by the debtor(s) from any employer of the debtor(s)." Federal Rule of Bankruptcy Procedure 1007(c) requires that all such payment advices be filed within 15 days of the petition date. Section 521(i)(1) of the Bankruptcy Code provides for automatic dismissal of voluntary individual Chapter 7 and 13 cases effective on the 46th day after the filing of the petition if the documents described in § 521(a)(1) are not filed within 45 days of the petition date. In this case, it appears that insufficient or no payment advices or other evidence of payment have been filed within the 15 days required by Federal Rule of Bankruptcy Procedure 1007(c).

Accordingly, it is hereby

(Order continued on reverse side)

ORDERED that the debtor, or both the debtors individually in a joint case, must complete, sign and file with the Court the attached Payment Advices Certification complete with photocopies of all payment advices by November 19, 2007;¹ and it is further

ORDERED that if the Payment Advices Certification indicates that the filing of payment advices was required, each debtor filing such a Certification must show cause why his or her case should not be dismissed for failure to comply with Federal Rule of Bankruptcy Procedure 1007(c); and it is further

ORDERED that the Clerk enter an order of dismissal if the debtor(s) fail to comply with the terms of this order by November 19, 2007.

Dated and Entered on: October 22, 2007

A handwritten signature in black ink that reads "William J. Thurman". The signature is written in a cursive, flowing style.

United States Bankruptcy Judge

1. Upon request of the debtor(s) made within 45 days after the filing of the petition, the Court, in its discretion, may grant the debtor(s) an additional time period not to exceed 45 days to file their payment advices. See 11 U.S.C. § 521(i)(3).

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Debtor

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PAYMENT ADVICES¹ CERTIFICATION

Under 11 U.S.C. § 521(a)(1)(B)(iv), I², **Ted Dan Gardiner**, hereby state as follows (select one):

- ☐ 1. I have attached hereto, or previously filed with the Court, copies of **all** payment advices or other evidence of payment received from any employer within 60 days before the date of the filing of my bankruptcy petition.
- ☐ 2. I did not receive any payment advices or other evidence of payment at any point during the 60 days before the date of the filing of my bankruptcy petition.
- ☐ 3. I received payment advices from an employer during the 60 days before the date of the filing of my bankruptcy petition but have been unable to locate all of the documents or replacements. I understand that if I do not submit all payment advices or other evidence of payment by **November 19, 2007** (which is 45 days from the filing of my bankruptcy petition), my case will be **automatically dismissed** without further notice or hearing.

I declare under penalty of perjury that the foregoing statement is true and correct to the best of my knowledge, information and belief.

Dated this ____ day of _____, 200__.

(Signature of Debtor)

1. A "Payment Advice" includes, but not limited to, pay stubs attached to your paycheck, employer's statements of hours and earnings, deposit notifications, etc.

2. A separate form must be submitted by each debtor in a joint case.

(Mail completed form to: U.S.B.C., 350 South Main Street, Salt Lake City, Utah 84101)

Bankruptcy Noticing Center
2525 Network Place, 3rd Floor
Herndon, Virginia 20171-3514

CERTIFICATE OF SERVICE

District/off: 1088-2
Case: 07-24697

User: gmg
Form ID: f729

Page 1 of 1
Total Served: 3

Date Rcvd: Oct 22, 2007

The following entities were served by first class mail on Oct 24, 2007.

db +Ted Dan Gardiner, 4600 Deer Knoll Drive, Kamas, UT 84036-9226
aty +Lou G. Harris, Law Offices of Lou Gehrig Harris, 111 E. 5600 S. Ste 322,
Murray, UT 84107-8166
tr +Kevin R. Anderson tr, 405 South Main Street, Suite 600, Salt Lake City, UT 84111-3408

The following entities were served by electronic transmission.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

First Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 24, 2007

Signature:

